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THE J.M. SMUCKER COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBIN HUMPHREY, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

THE J.M. SMUCKER COMPANY, *et al.*,

Defendants.

Case No. 3:22-cv-06913-WHO

**JOINT STIPULATION REGARDING
STIPULATED PROTECTIVE ORDER AND
ESI PROTOCOL**

Judge: Hon. William H. Orrick

1 1. Plaintiff Robin Humphrey and Defendant The J.M. Smucker Company (“Smucker”)
2 (together, the “Parties”) believe that certain modifications to the Model Protective Order are warranted
3 for clarification and to maintain the confidentiality of certain sensitive Smucker documents.

4 2. The Parties have met and conferred regarding proposed modifications to the Model
5 Protective Order. Attached as Exhibit 1 is a redline of the Model Protective Order reflecting the
6 proposed modifications.

7 3. A “clean” version of the modified Model Protective Order is attached as Exhibit 2 for
8 entry, should the Court approve it.

9 4. The Parties have met and conferred regarding proposed modifications to the Model ESI
10 Protocol. Attached as Exhibit 3 is a copy of the Parties’ Proposed Protocol for Discovery of
11 Electronically Stored Information and Hard Copy Documents (“Proposed ESI Protocol”). Due to the
12 substantial additions, the Proposed ESI Protocol is not provided in redline, as explained in the
13 Declaration of Michael J. Ruttinger, counsel for Defendant (“Ruttinger Decl.”), which is attached as
14 Exhibit 4.

15 5. The Parties agree and stipulate that the Model Protective Order and Model ESI Protocol,
16 as modified by Exhibit 2 and Exhibit 3, respectively, should be entered as the operative Stipulated
17 Protective Order and Stipulated Protocol for Discovery of Electronically Stored Information and Hard
18 Copy Documents in this case.

19 6. Explanations and further detail for modifications and additions to the Model Protective
20 Order and Model ESI Protocol are provided by the Ruttinger Declaration.

21 7. In light of the foregoing, and for good cause shown, the Parties jointly request that the
22 Court enter their Stipulated Protective Order and Stipulated Protocol for Discovery of Electronically
23 Stored Information and Hard Copy Documents.

Dated: September 29, 2023

/s/ Michael J. Ruttinger

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Attorneys for Defendant The J.M. Smucker Co.

Dated: September 29, 2023

/s/ L. Timothy Fisher (by email consent)

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Attorneys for Plaintiff Robin Humphrey

ATTESTATION

Pursuant to Civ. Local Rule 5.1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from counsel for Plaintiff Robin Humphrey.

/s/ Michael J. Ruttinger

Michael J. Ruttinger